

EXPRESS MAIL NO. EV488421219US

Attorney Docket No. 03004-8110US  
CLIENT REF NO. 03-0716

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: JEFFREY D. CROUCH *ET AL.*

APPLICATION No.: 10/785,453

FILED: FEBRUARY 23, 2004

FOR: **METHODS AND SYSTEMS FOR  
REMOVING MATERIAL FROM  
AIRCRAFT FLIGHT SURFACES**

EXAMINER: STEPHEN A. HOLZEN

ART UNIT: 3644

CONF. NO: 8540

**Request for Refund (Improper Charge of Deposit Account)**

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for a refund, with respect to an improper charge to Deposit Account No. 50-0665, for the above-identified application (Attorney Docket 03004-8110US). The Deposit Account was improperly charged \$430.00 for a two-month extension of time fee with respect to a Response filed with the Office on October 7, 2004. For the reasons described below, an extension of time and the corresponding fee were not required.

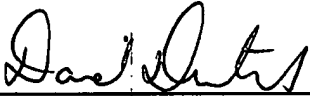
On July 16, 2004, the Examiner mailed a Restriction Requirement (which is enclosed herewith) providing a shortened statutory period for reply of 3 months. On October 7, 2004, the undersigned attorney filed a Response to the Restriction Requirement, which is enclosed herewith. Because the Response was filed within the specified period of 3 months, no extension of time was necessary. Accordingly, the two-month extension of time fee charged to the Deposit Account No. 50-0665 was improper. Please refund \$430.00 to Deposit Account No. 50-0665.

**BEST AVAILABLE COPY**

Please contact David T. Dutcher at (206) 359-6465 with any questions.

Respectfully submitted,  
Perkins Coie LLP

Date: Dec. 20, 2004



David T. Dutcher  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,453	02/23/2004	Jeffrey D. Crouch	030048110US	8540

25096 7590 07/16/2004

PERKINS COIE LLP

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EXAMINER

HOLZEN, STEPHEN A

ART UNIT

PAPER NUMBER

3644

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/785,453

Applicant(s)

CROUCH ET AL.

Examiner

Stephen A. Holzen

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-46 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-38, drawn to an aircraft system, classified in class 244, subclass 134R.
  - II. Claims 39-46, drawn to a method of manufacturing a wiper system, classified in class 244, subclass 134R.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make other and materially different products.
3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
4. Upon election of the above distinct groups the applicant is required to identify and elect a single species for examination. This application contains claims directed to

Art Unit: 3644

patentably distinct species of the claimed invention as identified by the applicant in the specification found on pages 2-3.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement; and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

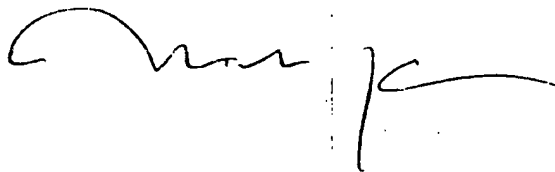
5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen A. Holzen whose telephone number is 703-308-2484. The examiner can normally be reached on M-F 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on 703 306-4198. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

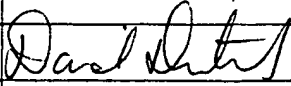
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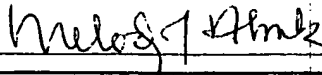
A handwritten signature in black ink, appearing to be 'Sah' followed by a stylized flourish.

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/785,453-Conf. #8540	
	Filing Date	February 23, 2004	
	First Named Inventor	Jeffrey D. Crouch	
	Art Unit	3644	
	Examiner Name	S. A. Holzen	
Total Number of Pages in This Submission	10	Attorney Docket Number	030048110US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	PERKINS COIE LLP David T. Dutcher - 51,638
Signature	
Date	Oct. 7, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.	
Dated: 10/7/04	Signature:  (Melody Almberg)



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Amendment in Response to Restriction Requirement (10 pgs);  
PTO/SB/21 (1 pg); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).

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By: Melody J. Almberg  
Melody J. Almberg

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: JEFFREY D. CROUCH *ET AL.*

APPLICATION No.: 10/785,453

FILED: FEBRUARY 23, 2004

FOR: **METHODS AND SYSTEMS FOR  
REMOVING MATERIAL FROM  
AIRCRAFT FLIGHT SURFACES**

EXAMINER: STEPHEN A. HOLZEN

ART UNIT: 3644

CONF. No: 8540

**Amendment in Response to Restriction Requirement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 16, 2004, please amend the application as reflected in the following listing of claims.

Amendment to the Claims

Please cancel claims 39-46 without prejudice to pursuing these claims in a divisional, continuation, continuation-in-part, or other application. Please withdraw claims 8, 9, 13 and 14 without prejudice.

1. (Original) An aircraft system, comprising:  
an inlet housing having a lip;  
a wiper positioned at the lip and movable relative to the lip; and  
a drive assembly positioned at least partially within the inlet housing and operably coupled to the wiper, the drive assembly being configured to move the wiper relative to the inlet housing to remove material from at least a portion of the lip.
2. (Original) The system of claim 1 wherein:  
the inlet housing further includes an interior surface and an exterior surface radially outward of the interior surface;  
the wiper includes a first end portion at least proximate to the interior surface and a second end portion at least proximate to the exterior surface; and  
the system further comprises a first attachment device coupling the first end portion to the inlet housing and a second attachment device coupling the second end portion to the inlet housing.
3. (Original) The system of claim 1 wherein:  
the wiper includes a first end portion and a second end portion opposite the first end portion;  
the system further comprises an attachment device coupled to the first end portion of the wiper; and  
the drive assembly includes an annular member coupled to the attachment device and a motor operably coupled to the annular member to move the annular member and the first end portion of the wiper relative to the inlet housing.

4. (Original) The system of claim 1 wherein:  
the wiper includes a first end portion and a second end portion opposite the first end portion;  
the system further comprises an attachment device coupled to the first end portion of the wiper;  
the drive assembly includes an annular member coupled to the attachment device and a motor operably coupled to the annular member to move the annular member and the first end portion of the wiper relative to the inlet housing; and  
the annular member includes a strap, a cable, a chain, and/or a ring.
5. (Original) The system of claim 1 wherein:  
the wiper includes a first end portion and a second end portion opposite the first end portion;  
the system further comprises an attachment device coupled to the first end portion of the wiper; and  
the drive assembly includes a cart movable within the inlet housing and operably coupled to the attachment device to move the first end portion of the wiper.
6. (Original) The system of claim 1 wherein:  
the wiper includes a first end portion and a second end portion opposite the first end portion;  
the system further comprises an attachment device coupled to the first end portion of the wiper, the attachment device having a first magnet; and  
the drive assembly includes a cart having a second magnet and being movable relative to the inlet housing, the first and second magnets being positioned to interact so that the attachment device moves with the cart.
7. (Original) The system of claim 6 wherein the wiper is configured to fail at a force less than a force required to dislodge the attachment device.

8. (Withdraw) The system of claim 1 wherein:  
the wiper includes a first end portion coupled to the drive assembly and a second end portion opposite the first end portion; and  
the system further comprises a drag member having a first portion coupled to the second end portion of the wiper and a second portion opposite the first portion, the drag member being movable between a stowed position and a deployed position, with the second portion of the drag member being unsecured to the inlet housing when the drag member is in the deployed position.
9. (Withdraw) The system of claim 1 wherein:  
the wiper includes a first end portion coupled to the drive assembly and a second end portion opposite the first end portion;  
the system further comprises a drag member having a first portion coupled to the second end portion of the wiper and a second portion opposite the first portion, the drag member being movable between a stowed position and a deployed position, with the second portion of the drag member being unsecured to the inlet housing when the drag member is in the deployed position; and  
the inlet housing has a recess sized and positioned to receive the drag member in the stowed position.
10. (Original) The system of claim 1 wherein the wiper includes a wire.
11. (Original) The system of claim 1 wherein the wiper includes a strap.
12. (Original) The system of claim 1, further comprising an axially resilient member positioned to provide tension to the wiper as the wiper moves relative to the inlet housing during a cleaning cycle.

13. (Withdraw) The system of claim 1, further comprising a cleaning fluid reservoir and a fluid conduit in fluid communication with the wiper and the fluid reservoir to provide cleaning fluid to the wiper.

14. (Withdraw) The system of claim 1 wherein:  
the wiper includes a wicking material to move cleaning fluid through at least a portion of the wiper; and  
the system further comprises a cleaning fluid reservoir in fluid communication with the wicking material.

15. (Original) The system of claim 1 wherein:  
the inlet housing further includes a first portion, a second portion, and a groove between the first and second portions; and  
the drive assembly is configured to move the wiper from a stowed position in which the wiper is received at least partially in the groove and a deployed position in which the wiper is external to the groove.

16. (Original) The system of claim 1 wherein:  
the lip of the inlet housing has a contour; and  
the wiper is flexible to generally conform to the contour of the lip.

17. (Original) The system of claim 1 wherein:  
the lip has a generally annular configuration; and  
the drive system is configured to move the wiper around the annular lip.

18. (Original) The system of claim 1 wherein the drive assembly is configured to move the wiper relative to the inlet housing to remove material during flight at an air speed of greater than 100 mph.

19. (Original) The system of claim 1, further comprising:  
a wing coupled to the inlet housing;  
a fuselage attached to the wing; and

a tail coupled to the fuselage.

20. (Original) The system of claim 1 wherein the wiper includes:  
a body having a carrier and a plurality of discrete cleaning elements attached to the carrier; and  
a cord coupled to the carrier and the drive assembly to move the wiper relative to the inlet housing.

21. (Original) An aircraft system, comprising:  
a contoured exterior aircraft surface defining a leading edge;  
a wiper having a first end portion, a second end portion, and a body extending between the first and second end portions, with at least a portion of the body contacting the leading edge; and  
a drive assembly operably coupled to at least one of the first and second end portions to move the wiper relative to the surface to remove material from the leading edge during flight at an air speed of greater than 100 mph.

22. (Original) The system of claim 21, further comprising an attachment device coupled to the first end portion of the wiper, wherein the drive assembly includes an annular member connected to the attachment device and a motor operably coupled to the annular member to move the annular member and the first end portion of the wiper relative to the leading edge.

23. (Original) The system of claim 21, further comprising:  
an inlet housing including the contoured exterior aircraft surface; and  
an attachment device coupled to the first end portion of the wiper;  
wherein the drive assembly includes a cart movable within the inlet housing and operably coupled to the attachment device to move the first end portion of the wiper.

24. (Original) The system of claim 21 wherein the body of the wiper includes at least one of a wire and a strap.

25. (Original) The system of claim 21 wherein the drive assembly includes:  
a first motor operably coupled to the first end portion of the wiper to move the first end portion relative to the surface; and  
a second motor operably coupled to the second end portion of the wiper to move the second end portion relative to the surface.
26. (Original) The system of claim 21, further comprising:  
a wing coupled to the inlet housing;  
a fuselage attached to the wing; and  
a tail coupled to the fuselage.
27. (Original) An aircraft system, comprising:  
an inlet housing having a lip;  
wiping means for removing material from at least a portion of the lip during flight;  
and  
driving means for moving the wiping means relative to the lip, the driving means being operably coupled to the wiping means and positioned at least partially within the inlet housing.
28. (Original) The system of claim 27 wherein the wiping means includes at least one of a wire and a strap.
29. (Original) The system of claim 27 wherein the driving means includes:  
an annular member coupled to the wiping means; and  
a motor operably coupled to the annular member to move the annular member and the wiping means relative to the lip.
30. (Original) The system of claim 27 wherein the driving means includes a cart movable within the inlet housing and operably coupled to the wiping means to move the wiping means relative to the lip.



31. (Original) The system of claim 27 wherein:  
the inlet housing further includes an interior surface and an exterior surface  
radially outward of the interior surface; and  
the wiping means includes a first wiping portion for wiping at least a portion of the  
interior surface and a second wiping portion for wiping at least a portion of  
the exterior surface.
32. (Original) An aircraft system, comprising:  
an inlet housing having an exterior surface, an interior surface radially inward of  
the exterior surface, and a lip surface extending between the exterior and  
interior surfaces;  
a wiper having a first end portion proximate to the interior surface, a second end  
portion proximate to the exterior surface, and a body extending between  
the first and second end portions, the body being flexible to generally  
conform to the lip surface;  
an attachment device coupled to the first end portion of the wiper; and  
a drive assembly including an annular member operably coupled to the  
attachment device and a motor operably coupled to the annular member  
to move the wiper across the inlet housing and remove insects from at  
least a portion of the lip surface during flight.
33. (Original) The system of claim 32 wherein the wiper includes at least one  
of a wire and a strap.
34. (Original) The system of claim 32 wherein:  
the attachment device is a first attachment device;  
the system further comprises a second attachment device attached to the second  
end portion of the wiper; and  
the drive assembly further includes a cart movable within the inlet housing and  
operably coupled to the second attachment device to move the second  
end portion of the wiper.

35. (Original) The system of claim 32 wherein:  
the lip surface has a generally annular configuration; and  
the drive system is configured to move the wiper around the annular lip surface.

36. (Original) A flow system, comprising:  
a body having a flow surface;  
a wiper having a filament; and  
a drive assembly at least partially within the body and operably coupled to the  
wiper to move the filament relative to the body to remove material from the  
flow surface.

37. (Original) The flow system of claim 36 wherein the filament comprises a  
wire.

38. (Original) The flow system of claim 36 wherein the flow body further  
comprises a leading edge.

39-46. (Cancelled)

REMARKS

In the above-referenced Office Action, the Examiner divided the claims into the following groups:

Group I, Claims 1-38, drawn to an aircraft system; and

Group II, Claims 39-46, drawn to a method of manufacturing a wiper system.

In addition, the Examiner required an election of species. During a telephone conference on August 11, 2004, the Examiner clarified that the different species are illustrated in Figures 2-9.


In response, the applicants elect Group I and the species illustrated in Figure 8, claims 1-7, 10-12 and 15-38. Applicants' attorney traverses the Examiner's assertion that no claim is generic and notes that at least claims 1, 21, 27, 32 and 36 are generic.

Upon allowance of the generic claims, applicants request consideration of claims to additional species which are written in dependent form or which otherwise include all the limitations of the allowed generic claims.

No fees are believed due with this communication. However, the Commissioner is hereby authorized and requested to charge any deficiency in fees herein to Deposit Account No. 50-0665.

Respectfully submitted,  
Perkins Coie LLP

Date: Oct. 7, 2004

  
\_\_\_\_\_  
David T. Dutcher  
Registration No. 51,638

**Correspondence Address:**

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## Auto-Reply Facsimile Transmission



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<u>Stephen A. Holzen</u>		<u>USPTO - Art Unit 3844</u>		<u>703-306-4198</u>	
				FACSIMILE:	
				<u>703-872-8306</u>	
RE: <u>U.S. Application No. 10/785,453</u>					
<u>Filed: February 23, 2004</u>					
<u>First Named Inventor: Jeffrey D. Crouch</u>					
Transmitted herewith is the Response to the Office Action mailed July 16, 2004.					
Dated: <u>10/7/04</u>		<u>Melody J. Almsberg</u> Melody J. Almsberg			
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RE: *U.S. Application No. 10/785,453*  
*Filed: February 23, 2004*  
*First Named Inventor: Jeffrey D. Crouch*

*Transmitted herewith is the Response to the Office Action mailed July 16, 2004..*

Dated: 10/7/04

*Melody J. Almberg*  
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Date: 10/7/04By: Melody J. Almberg  
Melody J. Almberg

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JEFFREY D. CROUCH ET AL.

APPLICATION NO.: 10/785,453

FILED: FEBRUARY 23, 2004

FOR: METHODS AND SYSTEMS FOR  
REMOVING MATERIAL FROM  
AIRCRAFT FLIGHT SURFACES

EXAMINER: STEPHEN A. HOLZEN

ART UNIT: 3644

CONF. No: 8540

Amendment in Response to Restriction Requirement

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 16, 2004, please amend the application as reflected in the following listing of claims.

Adjustment date: 01/31/2005 SDIRETA1  
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